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STATE FOR S, D, P, R, DRL, EAP, R FOR U/S KAREN HUGHES

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SUBJECT: BUCKING A DISTURBING TREND IN SOUTHEAST ASIA:
PRESS FREEDOM IN CAMBODIA

Classified By: Ambassador Joseph A. Mussomeli for reasons 1.4 (b) and (d).

¶1. (SBU) Summary. According to a 2006 study by Freedom House, Cambodia stands alone among mainland Southeast Asian countries as having improved its commitment to freedom of the press. At Embassy urging, Cambodia removed all prison terms for criminal defamation -- a weapon of choice in this part of the world to quash dissent. The print media has become more open over the last year, and the government has also begun to relax its stranglehold on electronic media, allowing unprecedented criticism of its policies. One of the government's primary motivations for relaxing its grip on the media is a desire to markedly improve its relationship with the United States. We are using our assistance programs to better train journalists, fund a cutting edge TV show that discusses real and often sensitive political issues, and improve the coverage area of independent radio stations. These positive trends, however, are tenuous and much more needs to be done to ensure true press freedom. The Ambassador recommends Cambodia as a possible stop for high-level visits to preserve these successes and underscore USG commitment for promoting further liberalization of the media. End Summary.

Cambodia's Progress Noted by Freedom House

¶2. (U) On May 3, Cambodia observed UN World Press Freedom Day by noting a recent victory -- Freedom House, an international NGO supporting the expansion of freedom in the world -- moved Cambodia from the "Not Free" category to "Partly Free" in its annual survey "Freedom of the Press 2007" and hailed Cambodia as one of the only countries in Southeast Asia to make significant inroads in media liberalization. According to Freedom House, the region as a whole experienced a decline of press freedom due to coups and military intervention in Thailand and Fiji; political and civil conflicts in the Philippines, Sri Lanka, and East Timor; and continued suppression of media in Malaysia. Laos, Vietnam, and, in particular, Burma, continue to be known for their restrictive media environments. Worldwide, Freedom House viewed 2006 as a bad year for media independence. Cambodia, the youngest member of ASEAN and one of the poorest countries in Asia, shows some of the few, positive developments in press freedom.

¶3. (U) Cambodia today is generally seen as a friendlier place for the media and for reporting on dissenting opinions. According to official figures, Cambodia now boasts 296 national newspapers, 90 magazines, 30 bulletins, 15 journalist associations, 41 foreign media institutions, 9 foreign newspapers imported for local sale, 22 radio stations, and 7

television stations. As the explosion in the number of print media indicates, the government regularly issues licenses for new newspapers and other publications regardless of political affiliation or slant. While reporter intimidation exists, over the past year journalists have been allowed to criticize, sometimes harshly, the government and its policies. For example, a prominent human rights NGO and an opposition MP recently called for the abolition of the Ministry of Information, which is widely seen as merely serving the propaganda interests of the ruling CPP and as stifling dissent through the habitual denial of broadcast licenses to opposition groups. Despite the intensity of the criticism, the story received extensive coverage in the Khmer press.

14. (U) While Reporters Without Borders indicated that in 2006, 81 journalists were killed worldwide, at least 871 were arrested, 1,472 physically attacked or threatened, and 56 kidnapped; Cambodia saw no politically-motivated killings, attacks, arrests or kidnappings of journalists and only one reported threat of physical violence during that same period. There have been no known politically-motivated killings of journalists since the October 2003 death of Chour Chetharith, a radio announcer for the FUNCINPEC station, Taprohm.

15. (S) The USG deserves some credit for helping to foster this improved media climate by vigorously promoting press freedom as a core component of its diplomacy and assistance programs in Cambodia. On World Press Freedom Day, the Ambassador, speaking to a gathering of more than 100 journalists in Phnom Penh, commended the RGC for removing jail time as a penalty for defamation -- an action that the RGC took after the public and private urging of the Ambassador, and despite resistance to the idea from the Japanese and the French. USG programs supporting press

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freedom in Cambodia include a series of USAID-funded workshops, supplemented by an IIP Strategic Speaker (Pulitzer Prize winning journalist Jerry Kammer), to train a cadre of Khmer journalists in investigative reporting techniques. The respected NGO Internews, through a USD 200,000 grant from the Department, will soon start training 100 Cambodia journalists on covering the proceedings of the Khmer Rouge Tribunal and the Cambodian judiciary in general. The Public Affairs Section regularly provides resource materials for journalists such as the Khmer-language version of the publication "The Elements of Journalism," and the Mission sends Cambodian journalists to the United States to meet with their counterparts and observe journalistic practices through Department exchange programs. Recently, the Mission also awarded a USD 10,000 grant to the Cambodian Club of Journalists to conduct a competition to recognize outstanding achievement in Cambodian investigative journalism.

Media Environment Still Changing

16. (SBU) Despite impressive gains, Cambodia's press freedoms are still fragile. While defamation is no longer punishable with jail time, it is still considered a criminal offense worthy of fines of up to 10 million riels (approximately USD 2,500). Additionally, many RGC officials have taken to threatening journalists with legal action under Cambodia's "disinformation" law, which punishes the publication of information that is "false, fabricated, falsified or untruthfully attributed to a third person" with up to 3 years in jail and fines of up to 3 million riels (approximately USD 750). While no one has yet been convicted of disinformation, the Mission is aware of two cases currently under consideration by the courts. Despite the large numbers of media outlets, most are closely aligned with the CPP, particularly the broadcast media, and were used with great effect by the CPP to promote its candidates during the recent commune council elections. Non-CPP candidates had to buy

airtime on the state-owned television network with Australian funding. And while journalists feel increasingly comfortable criticizing the government, most privately admit to Mission personnel they practice some form of self-censorship due to residual fear from past crackdowns on going too far down the path of free expression.

Using USG Clout to Advance Media Freedom

¶7. (S) Past USG success in advancing press freedom in Cambodia makes a forceful argument for further USG engagement on this issue. As noted above, the change in Cambodia's defamation law was a direct result of pressure brought to bear by this Embassy. And some high-level officials, including the former Minister of Labor, have been removed from office in the wake of corruption scandals exposed by participants in the USAID-funded investigative journalism training program. Clearly media liberalization is an area in which the USG can have a positive influence in Cambodia, and we should be seen to press for greater gains in media freedom.

¶8. (C) One way to focus the government's attention in this regard would be high-level visits from Washington. The MFA regularly raises the prospect of such visits, and the Cambodian government would welcome the opportunity to showcase the progress Cambodia has achieved on many fronts, from peaceful and orderly local elections in April, to its excellent counter-terrorism cooperation, to its decision to be more supportive of our policies toward Burma. We have continued to press the RGC to liberalize their near-monopoly on electronic media licenses, decriminalize other remaining UNTAC-era laws that have been used against government critics and political opponents, and permit peaceful demonstrations under Cambodia's constitution. A high-level visit in 2007 -- particularly coming just before the 2008 national elections -- would send a strong message of tolerance and respect for freedom of speech and be viewed positively by all Cambodians.

MUSSOMELI